

Statement by Hon. Christopher H. Smith
“North Korea: Human Rights Update and International Abduction
Issues”

Subcommittee on Africa, Global Human Rights
and International Operations
and
Subcommittee on Asia and the Pacific
April 27, 2006

Thank you, Mr. Leach. I would like to note that this is the third joint hearing in two years we have co-chaired on human rights and North Korea, and on the implementation of the *North Korea Human Rights Act of 2004*, which Congressman Leach authored, and of which I am proud to have been an original co-sponsor. Our previous hearings were on October 27, 2005, *Lifting the Veil: Getting the Refugees Out, Getting Our Message In: An Update on the Implementation of the North Korean Human Rights Act*, and on April 28, 2005, *The North Korean Human Rights Act of 2004*.

Congress passed the landmark *North Korean Human Rights Act of 2004* during the last Congress. While President Bush has publicly stated his concern for human rights in North Korea (and reportedly raised the case of one North Korean refugee with Chinese President Hu last week), the testimony we heard at our previous hearings raised serious concerns among us in Congress about the slow implementation of the Act. The U.S. has not yet accepted a single North Korean refugee for domestic resettlement since passage of the Act. *The Foreign Relations Authorization Act, Fiscal Years 2006 and 2007*, which I authored, and which passed the House overwhelmingly (351-78) with bi-partisan support, would require the Secretary of State to submit a detailed description of the measures she has undertaken to secure the cooperation and permission of the governments of countries in East and Southeast Asia to facilitate United States processing of North Koreans seeking protection as refugees. While the Senate has failed to act on the Foreign Relations Authorization Act, we hope to include this important provision in appropriate legislation in the near future.

This will be the first appearance before Congress of Jay Lefkowitz as Special Envoy for Human Rights in North Korea, since his appointment by President Bush last year. I was greatly encouraged by Jay's appointment. I have known him for a long time, and we worked together very well when he was Deputy Assistant to the President for Domestic Policy at the White House, when he was a member of the U.S. delegation to the United Nations Human Rights Commission in Geneva, and when he was a member of the U.S. delegation to the International Conference on Anti-Semitism sponsored by the Organization for Security and Cooperation in Europe. He is a good man for an extremely tough job.

North Korea's human rights abuses are a nightmare of epic proportions. The Government of North Korea is a totalitarian, Stalinist regime. Its dictator, Kim Jong-Il,

brainwashes citizens into following a cult of personality and demands godlike reverence. He enjoys a decadent, opulent lifestyle while hundreds of thousands of children and their parents starve to death. Inside North Korea, there is no genuine freedom of speech, religion, or assembly. And now Kim Jong-Il is threatening international security through his reckless nuclear weapons program. President Bush was clearly correct in labeling North Korea as part of the ``axis of evil." Persecution and starvation in North Korea have caused many thousands, of North Koreans to flee their homeland, primarily into China.

Yet, despite China's obligations as a party to the 1951 United Nations Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees, China forcibly returns North Koreans seeking asylum to North Korea, where they routinely face torture and imprisonment, and sometimes execution. Eye witnesses have testified before Congress and told horrific stories of savage torture, forced abortions, and persecution of Christians. Mothers have seen their newborn children killed right in front of their very eyes by North Korean prison guards.

Last October, I chaired a hearing on the horrific problem of North Koreans trafficked in China. Mrs. Kyeong-Sook CHA, told us how the Food Distribution Center in Pyongyang stopped distributing food at the end of June 1995. In October 1997 she jumped into Tumen River to find her daughter who had gone to China looking for food. Much later, she found out all Chinese living close to the border were involved in human trafficking. They bought and sold North Korean girls with the help of North Koreans. Mrs. Cha was hired as a maid in Hwa Ryong City along with several other North Korean women who were regularly raped. Another man bought her daughter for 4,000 Yuan (about \$400), and they worked for him as servants at his house. They escaped again, but were eventually were kidnapped by human traffickers two months later. Eventually Mrs. Cha and her daughter were sent by the Chinese police to a North Korean detention center, where she found out her second daughter had also been trafficked. Mrs. Cha and her three children finally found her way to South Korea in June 2003.

Not content with forcing its own citizens to live in its hell on earth, the North Korean regime, since the end of the Korean War over fifty years ago, has engaged in a heartless and barbaric policy of kidnapping South Korean and Japanese citizens. There have been credible reports that North Korea may have abducted citizens from many other countries in addition to South Korea and Japan, including persons from China, Europe, and the Middle East. Congressman Leach and I are among the cosponsors of H. ConRes. 168, which condemns the North Korea for the abductions and continued captivity of citizens of the Republic of Korea and Japan. It rightly brands these kidnappings as acts of terrorism and gross violations of human rights. The House passed this resolution overwhelmingly (362-1) in July 2005, and it now awaits Senate action. We urgently hope the Senate will act soon on this important bill.

North Korea's abductions are integral to espionage and terrorist activities. Abductees have been kidnapped to work as spies, to train North Korean agents in language, accents, and culture, and to steal identities. Thousands of South Koreans and hundreds of Japanese have suffered and died as pawns of this twisted regime. The

families of the abductees have suffered untold grief and suffering, waiting years, if ever, to learn the fate of their loved ones. Often they never see them again. Rarely do abductees escape, rarely are they set free. Their families are tormented with false reports of death, false remains of deceased abductees, and unbelievable tales of their fates. According to a 1956 survey conducted by the Korean National Red Cross, 7,034 South Korean civilians were abducted during the Korean War from 1950 to 1953. Pyongyang has refused to allow the release of a single wartime abductee despite a provision allowing civilian abductees to return home in the Korean War Armistice Agreement, a document signed by representatives from the United States, North Korea, and China in 1953. Seoul estimates that approximately 485 civilian abductees remain alive and detained in North Korea.

For more than fifty years, North Korea has held South Korean prisoners-of-war captured during the Korean War, in clear violation of that agreement. The South Korean Ministry of National Defense estimated in 2005 that 542 captives were still alive in North Korea. These South Korean POWs served under the United Nations Command, fighting alongside their American and Allied fellow soldiers. These are brothers in arms, whom we and our other allies must never forget. POWs who have successfully escaped from North Korea have testified that South Korean POWs have been forced to perform hard labor for decades, often in mines, and are harshly treated by the Pyongyang regime.”

We must also remember that the remains of over 8,000 U.S. servicemen from the Korean War remain unaccounted for in North Korea. We must never relent in our efforts to bring home all our soldiers, alive or dead, or to provide them with dignified burial places. The U.S. was compelled for reasons of safety to suspend our Joint Field Operations (JFAs) with North Korea to identify and recover the remains of U.S. servicemen lost in North Korea. These activities are unfortunately not likely to resume any time soon. We earnestly hope and pray that North Korea will create the necessary conditions to allow us to resume this sacred duty.

This will be the first Congressional hearing on North Korea’s abduction of foreign citizens. We will hear testimony from those who have been kidnapped, and from those who have lost loved ones. They will help us to convince the American people, and the world community, of the enormity of the evil we confront in North Korea.